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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,153	03/11/2004	Chang-Kyu Park	P57043	4316
7590 Robert E. Bushnell Suite 300 1522 K Street, N.W. Washington, DC 20005		05/15/2007	EXAMINER HU, KANG	
			ART UNIT 3714	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/797,153	Applicant(s) PARK ET AL.	
	Examiner Kang Hu	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1, 3-11 and 13-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11 and 13-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. The amendment and arguments filed on 2/27/2007 has been entered. Claims 2 and 12 has been cancelled and claims 1, 3-11 and 13-19 are currently pending in the application.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Barnes, Jr. (US 2003/0065805)

Re Claim 1: The broadly claimed invention by the applicant are anticipated by Barnes, where Barnes discloses a method of receiving user authentication information from a mobile terminal via a wireless communication network to purchase a betting ticket for a race (sending information to place a bet with a real device of chance) (page 19, ¶ 202; page 44, ¶ 435, ¶ 441, ¶ 442) by wagering a bet, performing user authentication using the received authentication information on the authentication module (125) (page 3, ¶ 34; page 7, ¶ 77; page 9, ¶ 95) and transmitting information on results of the user authentication to the mobile terminal (101) via the wireless communication network (page 1, ¶ 6; page 3, ¶ 39); receiving ticket purchase information from the mobile terminal after completion of the user authentication and selling the

Art Unit: 3714

betting ticket through communication with a corresponding race management system (gaming computer system) according to the ticket purchase information (page 44, ¶ 435); storing ticket sale information and creating a Short Message Service (SMS) message indicating the ticket sale information after selling the betting ticket; and transmitting the SMS message indicating the ticket sale information to the mobile terminal via the wireless communication network (sending a data confirmation or response back to the player) (page 3, ¶ 39).

Re Claim 3: Barnes further discloses the mobile terminal is one of a Personal Data Assistant (PDA), a Personal Communication Service (PCS) terminal, a Digital Cellular Service (DCS) terminal, a smart phone or an International Mobile Telecommunication (IMT) terminal. (page 1, ¶ 5; page 3, ¶ 34.)

Re Claim 4: Barnes further discloses SMS message indicating the ticket sale information is created by a wireless switching system (the SMS message is created by the computer and sent through the wireless network) (page 5 and 6, ¶ 61-66).

Re Claim 5: Barnes further discloses the user authentication information includes at least one of an IDentification (ID) and a password, allocated at a time of registering for a wireless ticket purchase service, and a bank account number, registered for the wireless ticket purchase service (page 9, ¶ 95; page 10, ¶ 104).

Re Claim 6: Barnes further discloses the ticket purchase information includes at least one of regional information, race number information, winner determination information, race contestant number information and betting amount information when the gaming computer system sends information relating to gaming perimeters back to the mobile device (101) (page 44, ¶ 435; ¶ 441; ¶ 442).

Re Claim 7: Barnes further discloses a method comprising receiving user authentication information from a mobile terminal via a wireless communication network to purchase a betting ticket for a race by placing a wager (page 19, ¶ 202; page 44, ¶ 435; ¶ 441; ¶ 442), performing the received user authentication using the received user authentication information, and transmitting information on results of the user authentication to the mobile terminal via the wireless communication network (page 3, ¶ 34; page 7, ¶ 77; page 9, ¶ 95); receiving ticket purchase information from the mobile terminal via the wireless communication network after completion of the user authentication and selling the betting ticket through communication with a corresponding race management system (gaming computer system) according to the ticket purchase information (page 44, ¶ 435); storing ticket sale information and transmitting a request for creation of a SMS message indicating ticket sale information to a wireless switch after selling the betting ticket; and creating the SMS message indicating the ticket sale information in the wireless switch in response to the request for the creation of the SMS message indicating ticket sale information (page 3, ¶ 39), and transmitting the SMS message indicating the ticket sale information to the mobile terminal via the wireless communication network (page 3, ¶ 39).

Art Unit: 3714

Re Claim 8: Barnes further discloses a method comprising receiving user authentication information from a mobile terminal via a wireless communication network to purchase a betting ticket for a race by placing a wager (page 19, ¶ 202; page 44, ¶ 435; ¶ 441; ¶ 442), performing user authentication using the received authentication information, and transmitting information on results of the user authentication to the mobile terminal via the wireless communication network (page 3, ¶ 34; page 7, ¶ 77; page 9, ¶ 95); receiving ticket purchase information from the mobile terminal via the wireless communication network after completion of the user authentication and selling the betting ticket through communication with a corresponding race management system according to the ticket purchase information (page 44, ¶ 435); storing ticket sale information and transmitting a request for creation of an SMS message indicating the ticket sale information to a wireless switch after the betting ticket is sold; and creating the SMS message indicating the ticket sale information in the wireless switch and transmitting the SMS message to the mobile terminal via the wireless communication network in response to the request for the creation of the SMS message indicating the ticket sale information (page 3, ¶ 39).

Re Claim 9: Barnes further discloses a method comprising of running a ticket purchase application program (page 1, ¶ 5; page 3, ¶ 34) adapted to display a user authentication transmitting user authentication information to a betting ticket purchase system via a mobile communication system after a user enters the user authentication information in the user authentication screen; receiving results in response to the user authentication from the betting ticket purchase system, and displaying all item choices for a ticket purchase for a race on a single screen when the user authentication succeeds; transmitting set ticket purchase information to the

Art Unit: 3714

mobile communication system after the user has selected some of the item choices displayed on the single screen (page 44, ¶ 435) (the GCS station sends all pertinent gaming information to the mobile device and display all of them at once); and receiving and sequentially displaying an SMS message indicating ticket sale information according to the ticket purchase information and a SMS message indicating winning information according to results of the race from the betting ticket purchase system (page 44, ¶ 435).

Re Claim 10: Barnes discloses a method comprising running a ticket purchase application program in mobile terminal to transmit user authentication information to an Automatic Response System (ARS) sale server (125, 135) through a wireless network system; receiving and authenticating the user authentication information in the ARS sale server (125, 135) and transmitting the results of the user authentication information to the mobile terminal through the wireless network system; displaying item choices on a single screen of the mobile terminal after the user authentication information has been completed, and transmitting set ticket purchase information to a ticket sale processing system through the wireless network system and the ARS sale server (125, 135) after the user has selected some of the item choices; selling a betting ticket in the ticket sale processing system according to the ticket purchase information and transmitting ticket sale information to the ARS sale server (125, 135) after ticket purchase information has been received from the mobile terminal via the wireless network system; storing the ticket sale information in the ARS sale server (125, 135) and transmitting a request for creation of a SMS message indicating the ticket sale information to the wireless network system after receiving the ticket sale information; and creating and transmitting the SMS message from the wireless

Art Unit: 3714

network system to the mobile terminal indicating the ticket sale information in response to the request for the creation of the SMS message indicating the ticket sale information (page 10 and 11, ¶ 103- 115; page 12 and 13, ¶ 128-136).

Re Claim 11: Barnes further discloses a system comprising of an Automatic Response System (ARS) ticket sales server (125, 135) adapted to transmit a request for a ticket purchase according to ticket purchase information to a betting ticket sale system in response to receiving the ticket purchase information through a mobile terminal, and to transmit a request to create an SMS message indicating ticket sale information in response to the ticket sale information received from the betting ticket sale system; and a wireless data transmission and reception network (page 5 and 6, ¶ 61-66) adapted to provide the ticket purchase information, transmitted from the mobile terminal via the wireless data transmission and reception network, to the betting ticket sales server, to create an SMS message indicating the ticket sale information in response to a request for creation of the SMS message indicating the ticket sale information, and to transmit the SMS message to the mobile terminal via the wireless data transmission and reception network (page 3, ¶ 39; page 5 and 6, ¶ 61-66; page 10 and 11, ¶ 103-115; page 12 and 13, ¶ 128-136).

Re Claim 13: Barnes further discloses the wireless data transmission and reception network includes an SMS message creation unit (page 3, ¶ 39; page 5, ¶ 62).

Re Claim 14: Barnes further discloses the ticket sales server comprises: a wireless network-interworking Application Programming Interface (API) adapted to change received and



Art Unit: 3714

transmitted data formats; an authentication unit (125) adapted to perform user authentication for a ticket purchase; and a storage unit (120) adapted to store the ticket purchase information and the ticket sale information transmitted from the betting ticket sale system (page 8, ¶ 81; page 10, ¶ 104; page 13, ¶ 138).

Re Claim 15: Barnes further discloses a system comprising: a wireless network-interworking Application Programming Interface (API), included with an Automatic Response System (ARS) server of an ARS system, and adapted to convert ticket purchase information into converted ticket purchase data having a format appropriate to the ARS server in response to the ticket purchase information received from a mobile terminal, to transmit a request for a ticket purchase corresponding to the converted ticket purchase data to a ticket sale processing system, and to transmit a request for creation of an SMS message indicating ticket sale information in response to receiving the ticket sale information from the ticket sale processing system; and a wireless data transmission and reception network adapted to provide the ticket purchase information, transmitted from the mobile terminal via the wireless data transmission and reception network, to the wireless network-interworking API, and to create an SMS message indicating the ticket sale information in response to a request for the creation of the SMS message transmitted from the wireless network-interworking API, and to transmit the SMS message to the mobile terminal via the wireless network (page 7, ¶ 78; page 8, ¶ 81; ¶ 82).

Re Claim 16: Barnes further discloses the ARS server comprises: an authentication unit (125) adapted to perform user authentication; and a storage unit (120) adapted to store the ticket

Art Unit: 3714

purchase information and information transmitted from the ticket sale processing system (page 10 and 11, ¶ 103-115; page 13 and 14, ¶ 137-149).

Re Claim 17: Barnes further discloses a mobile terminal comprising: a ticket purchase application program module adapted to display a user authentication screen in response to running a ticket purchase application program and adapted to display a ticket purchase screen, including item choices to enable a user to choose item choices for a ticket purchase, in response to a completion of a user authentication; and a wireless data transmission and reception module adapted to transmit user authentication information and ticket purchase information to a betting ticket sale system, and to receive an SMS message indicating ticket sale information and an SMS message indicating winning information from the betting ticket sale system via a wireless communication network (page 3, ¶ 39; page 5, ¶ 62; page 31, ¶ 315).

Re Claim 18: Barnes further discloses the ticket purchase screen displayed by the ticket purchase application program includes at least one of a regional option field, a race number option field, a winner determination option field, a race contestant number option field and a betting amount option field (page 44, ¶ 435).

Re Claim 19: Barnes further discloses an additional betting button adapted to enable the user to additionally purchase a betting ticket after the at least one optional field has been set on the ticket purchase screen displayed by the ticket purchase application program; and a temporary data storage unit adapted to temporarily store previously set ticket purchase information in response

Art Unit: 3714

to the additional betting button being pushed and additional ticket purchase information being set (figs 1-8; page 1, ¶ 14; page 3, ¶ 35; ¶ 36; page 13 and 14, ¶ 138-149).

### ***Response to Arguments***

1. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. The arguments provided by the applicant are moot therefore. In regards to the argument that Barnes merely refers to the device having SMS capabilities but does not teach or suggest storing ticket sale information and creating and SMS message indicating ticket sale information. The argument has been carefully considered and found to be unpersuasive. The reference cited by the examiner clearly states SMS capabilities, also a means to transmit data within a wireless network. The summary of application procedures for placing a bet, to receiving a confirmation (receiving betting ticket sale information), and providing data in regards to the bet are transmitted to the mobile device in ¶ 442 cited by the examiner. The examiner in ¶ 435 and 441 also cites further examples of such transaction.

***Conclusion***

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kang Hu whose telephone number is (571)270-1344. The examiner can normally be reached on 8-5 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Kang Hu  
May 10, 2007



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Art Unit 3714